

# THE BARBER COUNTY INDEX.

E. W. PAYNE, - - - PROPRIETOR

Official Paper of Barber County.

MEDICINE LODGE, KANSAS.

FRIDAY, MARCH 28, 1884.

The Kansas editorial excursion has been declared off, on account of the Kansas City and Memphis Railroad being washed out near the latter city.

Judge D. J. Brewer, of the Kansas supreme court, has been appointed U. S. circuit judge to fill the vacancy occasioned by the resignation of Judge McCarty.

It is not customary for a newspaper to engage in any wholesale praise or flattery of members of the opposition party, and we do not care to transcend the bounds of custom in this instance; but we desire to say here, unqualifiedly, that Kansas has at least two representatives in the national congress who are ever watchful of the interests of their constituents, and these are Hon. S. R. Peters, representative from this district in the house of representatives, and Hon. P. R. Plumb, one of our senators. Speaking for this section of the state more especially, we believe these two gentlemen have so far carefully attended to every want made known to them; have not tired in working for the measures of interest to this people and have in many ways taken pains to accommodate persons who have asked their aid and assistance in affairs at Washington.

This district is fortunate in having Judge Peters, a republican, as their representative instead of a mongrel, who cannot consistently claim to be the representative of any party or idea.

The committee appointed by the directors of the Cherokee Strip Live Stock Association to attend the stockmen's national convention at St. Louis in November next, is composed of the following well known gentlemen:

B. S. Miller, John Stoller, Earl Spencer, W. C. Quinn, M. H. Bennett, L. B. Wilson, S. Tuttle, P. C. Wyeth, E. W. Payne, C. H. Elder, Oliver E. Wells, J. A. Blair, A. J. Day, Edward E. Williams, A. Drum, R. W. Phillips, E. M. Hewins, W. P. Herring, J. W. Hamilton, A. Gorham and J. L. McAtee.

These gentlemen will represent the Cherokee Strip Association in all matters that may come before the convention, and are instructed to vote for Kansas City as the place for holding the next convention.

It is expected that the St. Louis convention will be attended by stock growers from every section of the country—not only the grazing districts, but from every point where live stock is handled.

The time has not been definitely fixed for the convention, but it will be during November, after the excitement of the election is over.

Though it may turn out that there was no foot and mouth disease in Kansas, and no special session of the legislature absolutely necessary, Governor Glick will be upheld in calling that body together. He was appealed to from every section of the state, and did what any official anxious to satisfy the whole people would have done.

No one will say that the laws on our statute books were sufficient for an emergency like the foot and mouth disease would cause, and it is well that our legislators have been asked to consider this emergency. A sensible law on this subject, a commission made up of practical livestock men and an appropriate law to be drawn upon when necessary are all good things to have around when a serious outbreak of contagion appears, and we think it is well enough the scare occurred at the time it did.

Down in this section of country we are more alarmed at any appearance of Texas or Spanish fever than anything else that troubles cattle, and we hope that the cattle commission will keep their ears open ready to hear any cry that goes up from here. Our local stockmen are going to try hard to keep the disease out this season, but they may not be equal to the emergency; and if they are not, we want some commission or something else with authority around here.

The opponents of prohibition have always claimed that any attempt to enforce that law would be the means of breeding a class of liars, deceivers, perjurers and informers, and every day's experience confirms the assertion. Any one who has watched the reports from the capital of this state must have been impressed with the great variety of subterfuges resorted to by saloon men and whiskey sellers to evade the law. Now a club room would be started; now a saloon man would import his goods in this way: now a saloon man would have a secret den would be discovered, blocked and barricaded against all except the elect. All this time whiskey, and beer and wine were being sold, and not for medicinal, scientific or mechanical purposes, either.

But the latest and most original plan of evading the law at Topeka, came to light last Saturday, and is told of in the special below. It shows what ingenuity may be thought of, and to what desperate stratagems men will go. Read this: TOPEKA, March 25.—Major E. R. Raydon, president, and Captain J. R. Boyd, secretary, of the Idaho Prospecting and Mining Company, were placed under arrest last evening at the instance of County Attorney Vance, charged with violating the prohibitory liquor law. It seems that this company was chartered under the laws of Kansas, and has a capital of \$500,000, which is divided into 2,000 shares of \$25 cents each. Spacious offices were opened where refreshments of all kinds are kept, but were neither sold, given away or bartered, but the deals in stock have been enormous, amounting to 1,000 shares per day. The prohibitionists are claiming that it is a device to evade the law, but the two men arrested are confident that they will defeat the suits brought against them. In this opinion they are also backed up by some of the ablest lawyers here. Their trials are set to come off to-morrow morning.

It appears now that there will be a considerable fight made among the democrats in congress when the Morrison tariff bill comes up for discussion. The Carlisle-Morrison element, representing free trade ideas, will insist that the bill be passed by the ways and means committee, of which Morrison is chairman, and which reduces the tariff receipts thirty millions of dollars, be passed. The Morrison men, who are opposed to a low tariff, say they will not agree to the bill as it now stands. Henry Watterson, of the Couriers Journal, predicted

ing to speak for the Carlisle-Morrison element, declares that all democrats must submit to their dictation. He declares that the democrats can better afford to go into the canvass this year on a low tariff record and be defeated than to win on the Randall idea.

At this distance it appears that both of these elements in the party are in the wrong and if they do not come to terms defeat will be ours in November. The country rejoiced at the election of Mr. Carlisle as speaker, but it did not understand that his elevation would be the signal for his followers to claim for themselves the virtue of being the only democrats left. The country did not expect to see radicalism where it was so certain it had planted the seeds of conservatism. When Mr. Watterson attempts to drive other democrats into a caucus, or to drive them into the support of any measure he is exceeding the bounds of good reason, and if Mr. Carlisle or Mr. Morrison authorized him to apply the party lash, they have indeed executed a commission they were not authorized to fill.

On the other hand, the Randall men, those opposed to free trade, or even a greatly reduced tariff, are displaying bad judgment in declaring they will not consult with the other branch of the party. They need not be driven, but they should not be stubborn and unyielding, either.

All this time the republicans are making the most of our little family troubles, meddling and carrying tales from one side to the other and creating all the discord possible.

A few weeks, at the furthest, will give a good idea as to whether or not the democrats are to be successful in November next.

Since the above was written we have discovered the following article in the Missouri Republican, which fits the case so well that we produce it in full:

"Of course Mr. Henry Watterson speaks for himself alone. His violent utterances now are characteristic manifestations of the sensationalism which seems an essential feature of his political methods. Few democrats will be found to apply the same standard to Mr. Watterson as they do to Mr. Carlisle and those who are acting with him in the position of enemies. Perhaps it may come to that in time, but for the present we may hope not, and do all that can be done to secure harmony. Mr. Randall may properly say now that the Morrison bill is not a party measure, but when the caucus has acted upon and accepted the bill he will no longer have that excuse for opposition. Meanwhile let him and the other democrats who are antagonizing the Morrison bill put a curb upon their tongues, for they are waging no less recklessly than Watterson a warfare of Carlisle, Morrison and the other democratic leaders who are urging reform legislation is a disunion of the worse than the vituperative vaporing of the Kentucky editor. The Morrison bill may not be a party measure until it is the subject of the caucus, but it is certainly in opposition to no principle of the party. Mr. Morrison and the democrats associated with him on the ways and means committee have done no more than their duty in endeavoring to frame a tariff revision bill which would in its definite form the frequent and unvarying declaration of every national and state democratic platform in favor of reform. No one pretends that the Morrison bill is perfect, but it is, at least, the best measure now practicable, and as such it should be carefully and kindly considered by every democrat. Tariff reform is an essential doctrine of the democratic party, and those democrats who make violent protests against the endeavor to execute the demands of an essential party principle are simply making war on their party. They may criticize the Morrison bill until it becomes a caucus measure, but let them refrain from denouncing the men who have made and who are urging the bill. There is no political principle to which the democratic party is more emphatically committed than that of tariff reform, and the men who so hotly oppose reform now want to create a new party."

THE NEW SANITARY LAW. The special session of the Kansas legislature, called together by the governor to consider the question of cattle disease, said to be existing in this state, completed its labors on the 20th and adjourned, having been in session one week.

As a result of the session several bills were passed, and are now laws, but the only ones of particular interest to this section are those relating to livestock.

A bill was passed authorizing the governor to appoint a state veterinarian, whose duty it shall be to inspect all cattle and stock said to be affected with any contagious disease. In connection with the livestock sanitary commission, described more fully hereafter, he is to assist in preventing the spread of disease, and in stamping out contagion.

A bill was passed which gives the commission full power to quarantine in cases of Texas or Spanish fever, and this will of course be a great advantage to this immediate section of the country. Had such a law been in force last year there would have been much less loss from the infected Boyd herd of cattle.

But the important bill, the one that attempts to control the whole matter of contagion among livestock, is given nearly in full below.

The title of the act is "An act for the protection of domestic animals."

Section 1 provides that three commissioners shall be appointed by the governor with the consent of the senate, who shall constitute the live stock sanitary commission of the state. Each commissioner shall take the oath of office and give bond in the sum of \$2,000 for the faithful discharge of his duty. The term of office of said commissioners shall be one, two and three years from the date 1st of April. The state veterinarian shall be ex-officio secretary of the board, and shall from time to time make report to the governor and transmit the same to the secretary of the state board of agriculture for publication.

Section 2 makes it the duty of the commission to protect the health of all domestic animals of the state from all contagious or infectious diseases of a malignant character, and for this purpose it is hereby authorized and empowered to establish, maintain and enforce such quarantine sanitary and other regulations as it may deem necessary. It shall be the duty of any member of said commission, upon the receipt by him of reliable information of the existence, among the domestic animals of the state, of any malignant disease, to at once notify the state veterinarian, who shall go at once to the place where any such disease is alleged to exist, and make a careful examination of the ani-

mals believed to be affected with any such disease, and ascertain, if possible, what, if any, disease exists among the live stock reported to be affected, and whether the same is contagious or infectious, or not, and if said disease is found to be of a malignant, contagious or infectious character, he shall direct the temporary quarantine and sanitary regulations necessary to prevent the spread of any such disease, and report his findings and actions to the commission.

Section 3 provides that any member of the commission, when the exigencies shall require, shall immediately convene the commission at such place as he may designate, and, if upon consideration of the report of the veterinarian, the commission shall be satisfied that any contagious or infectious disease of a malignant character, which seriously threatens the health of domestic animals, and endangers the live stock interest of the state, exists, they shall proceed at once to the infected district, ascertain and determine the premises or grounds infected, and establish the quarantine, sanitary and police regulations necessary to circumscribe and exterminate such disease; also to list and describe the domestic animals affected with such disease, and those which have been exposed thereto, and included within the infected district or premises so designated and quarantined, with such reasonable certainty as would lead to their identification, and for that purpose the said commission may, in its discretion, cause the live stock so included within the quarantined lines established to be marked or branded in such manner as the commission may designate; and no domestic animal liable to become infected with the disease or capable of communicating the same, shall be permitted to enter or leave the district, premises or grounds so quarantined, except by the authority of the commission.

Section 4. When, in the opinion of the commission it shall be necessary, to prevent the further spread of any contagious or infectious disease among the live stock of the state, to destroy animals affected or which have been exposed to any such disease, it shall determine what animals shall be killed, and appraise the same and cause the same to be killed, and the carcasses disposed of as in its judgment will best protect the health of the domestic animals of the locality.

Section 5. Whenever, as in the fourth section of this act provided, the commission shall direct the killing of any domestic animal or animals, it shall be the duty of the commission to appraise the animal or animals to be killed, and shall make an inventory of the animal or animals condemned, and in fixing the value thereof the commission shall be governed by the value of said animal or animals in the locality at the date of appraisement.

Section 6. When the commission shall have determined the quarantine and other regulations necessary to prevent the spread among domestic animals of any malignant, contagious or infectious disease, found to exist among the live stock of the state, and given its order as heretofore provided, prescribing quarantine and other regulations, it shall notify the governor thereof, who shall issue his proclamation, proclaiming the boundary of such quarantine and the orders, rules and regulations prescribed by the commission, which proclamation may be published by written or printed hand-bills posted within the boundaries, or on the lines of the district, premises, places or grounds quarantined, or by being published in the official state paper.

Section 7 gives the commission power to purchase necessary supplies and material, and employ necessary assistance.

Section 8 makes it the duty of the railroad corporations doing business in this state to cleanse and disinfect their cars used in transporting stock in this state, at such times and places as the commissioners may designate whenever in the opinion of the commissioners any such order may be necessary to prevent the spread of infectious and contagious diseases. Any corporation violating any of the provisions of this section shall be liable to a penalty of \$500 for each offense, to be recovered in a civil action to be prosecuted under the direction of the attorney general, in the name of the state of Kansas.

Section 9 provides that the owner of any animal killed under this act shall be paid the appraised value thereof, but no indemnity shall be extended to the owner of animals which have been brought into the state in a diseased condition, or from a state, country, territory, or district in which the disease with which the animal is infected, or to which it has been exposed, exists. Nor shall any animal be paid for by the state which may be brought into the state in violation of any law or quarantine regulation thereof, or the owner of which shall have violated any of the provisions of this act, or order of the live stock sanitary commission or any member thereof. Nor shall any animal be paid for by the state which came into the possession of the claimant with the claimant's knowledge that such animal was diseased or was suspected of being diseased, or which had been or shall be exposed to any malignant, contagious or infectious disease. Nor shall any animal belonging to the United States be paid for by the state.

Section 10 makes it the duty of any owner or person in charge of any animal affected, or which he has reason to believe is diseased to report the fact to the commission and to the sheriff and county clerk, and any person discovering any disease among the herds of another is required to report to the sheriff and county clerk.

Section 11 makes it the duty of the sheriff to whom the existence of any infectious or contagious disease of domestic animals is reported, to forthwith proceed to the place where such domestic animal is, and examine the same, and forthwith report the result of such examination to the commission or any member thereof, and shall prescribe such temporary quarantine regulations as shall prevent the spread of the infection or contagion until the live stock sanitary commission can provide and order suitable quarantine rules and regulations.

Section 12 imposes a fine of not less than \$500 nor more than \$5,000 on any person who brings into this state any affected or diseased animal.

Section 13 imposes a fine of from \$100 to \$500 on any person who hinders the commission, veterinarian or officer in the examination of any diseased or affected animal.

Section 14 says that if any person having in his possession any diseased or infected animal knowing it to be such, shall keep the same where animals not affected shall come in contact with it, or shall sell, ship, or drive it away, he shall be guilty of a misdemeanor and fined not less than \$100 nor more than \$500 for each such diseased or exposed animal; but he may dispose of the same if he have a bill of health of such animal from the state veterinarian.

Section 15. When any live stock shall be appraised and killed by the order of the commission, it shall issue by order of the live stock so killed a certificate entitled showing the number and kind of animals, amount to which the holder is entitled, and report the same to the auditor of state. And upon presentation of such certificate to the auditor, he shall draw his warrant on the treasurer for the amount therein stated, payable out of any money appropriated for the payment of such claims.

Section 16 provides that this act shall not interfere with chapter 144, session laws of 1883. [This is the chapter relating to the appointment of sheep inspectors by the county commissioners.]

Section 17 makes the pay of the members of the commission \$5 per day when employed and necessary traveling expenses.

Section 18 provides that whenever the governor of the state shall have good reason to believe that any dangerous, contagious or infectious disease has become epidemic in certain localities in other states, territories, or countries, or that there are conditions which render such domestic animals from such infected districts liable to convey such disease, he shall, by proclamation, prohibit the importation of any live stock of the kind diseased into the state unless accompanied by a certificate of health, given by a duly authorized veterinary inspector, and all such animals arriving in this state shall, when ordered by the live stock commission, be examined without delay by the state veterinary surgeon, and if deemed necessary placed in close quarantine until all danger of infection is passed, when they shall be released by order of the veterinary surgeon or the live stock commission. A fine of from \$100 to \$500 is imposed for the violation of any of the provisions of this section.

Section 19 makes it the duty of the owners of any stockyards doing business in this state, when requested by the live stock sanitary commission, to appoint and keep constantly in their employ at their expense, a competent inspector of live stock, whose duty it shall be to daily inspect with care all animals brought into the stockyards in whose employ any such inspector may be, and upon the discovery by such inspector, in such yards, of any animal affected with any malignant, contagious, or infectious disease, he shall direct the manner in which any such diseased animal shall be disposed of so as to prevent the spread of any such contagious or infectious disease, and for this purpose may cause any diseased animal to be disposed of at the expense of the owner thereof, in such manner as will prevent the spread of such disease; but in no event shall any such diseased stock be permitted to be driven or shipped out of any such stockyard, except to some rendering establishment, or other suitable place for killing and disposing of such diseased animal as hereinafter provided for, and then under such regulations and restrictions as may be necessary to prevent the spread of the disease on account of which any such animal has been condemned; but such animal has been condemned; but the owner of animal ordered destroyed may appeal from the decision of the inspector to the state veterinarian, and pending the appeal the animal shall be kept in strict quarantine at the expense of the owner. No compensation is to be allowed by the state for any diseased live stock found in public yards and destroyed.

Section 20 allows the commissioners power to call upon any sheriff, undersheriff, deputy sheriff or constable to execute their orders, and such officers shall obey the orders of such commissioner, and the officers performing such duties shall receive compensation therefor as is prescribed by law for like services, to be paid as other expenses of said commission as hereinafter provided; and any officer may arrest on view, and take before any magistrate of the county, any person found violating any of the provisions of this act, and such officer shall immediately notify the county attorney of such arrest, and he shall prosecute the person so offending according to law.

Section 21 provides that the provisions of this act shall not apply to sheep and hogs except when exposed to foot and mouth disease, or to cattle when affected by the disease known as Texas or Spanish fever.

We hope that the laws passed by the legislature will be enforced, and that the disease will create no further devastation.

A dispatch to the Kansas City Times from Little Rock, dated the 23d, says: "The influx of western cattlemen yesterday for the purpose of investing in Arkansas cattle reached a degree never before known in the business here. Among the number was Outback, Root and O'Brien, leading Colorado ranch and cattlemen. These parties negotiated for the purchase of 1,200 head of stockers and feeders, the contract or price being \$7.50 for yearlings, \$10.50 for two-year olds, \$14.50 for three year olds and \$20 for cows and calves, counted together, to be delivered April 20th. Numerous like contracts were closed. These figures show a slight advance of prices over three weeks ago in this class of stock. The entire lot will be shipped by rail to Pueblo, thence driven to the ranges in the Sioux country. The stockmen throughout the state report some serious losses owing to the severe winter. Although rather thin, cattle are generally in good condition, and no indications of foot and mouth disease."

Wichita Eagle: Extensive improvements are being made in the great stock farm south of Cheney, of which we published an account a few weeks since, as having been purchased by Mr. Jewett, of Buffalo, New York, for which he paid \$60,000 in cash for the raw land, and which is sixteen miles around it. The twenty odd teams which we mentioned have been busy. Last week there was received at this point, and which was forwarded to the farm, ten car loads of lumber, one car load of agricultural implements, one car load of house furniture, one car load of hardware and tools, and one car load of oats for seed. Mr. Jewett is determined to make it the greatest farm in the state of Kansas.

100 HEIFERS. 100. —FOR SALE.— Will arrive in Kansas City about March 12 with one hundred head of high-grade, two-year-old SHORT-HORN HEIFERS. Bred to have calves in May and June, of 1500-pound Short-horn bulls. The heifers are all rich colors and in fine breeding condition. For price, etc., address, CHAS. F. SCOTT, KANSAS CITY, MO. Care of Live-Stock Indicator.

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HON. M. H. COCHRANE AND LEONARD BROTHERS, —WILL BE HELD—

APRIL 8TH, 9TH, 10TH & 11TH, 1884.

At Riverview Park, Kansas City, Mo. To consist of cows in calf, or with calves at side, and bulls fit for service. Each of the above named breeds will be represented by choice animals of high breeding, selected or bred from the best herds of Great Britain. LEONARD BROTHERS, Mount Leonard, Mo. H. COCHRANE, Compton, P. Q. Canada.

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